



**CITY OF LODI**  
**COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$11,552.96).

**MEETING DATE:** September 19, 2007 City Council Meeting

**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$9,932.66 and various other cases being handled by Outside Counsel in the amount of \$1,620.30.

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskowitz, Tiedemann & Girard; and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

**Folger Levin & Kahn - Invoices Distribution**

Invoice No.	Date	Description	Water Acct. Amount
7207	7/3/07	West Environmental Services (Krasnoff)	5,166.73
		GeoTrans, Inc. (Jim Mercer)	196.00
		<b>Total</b>	<b>\$5,362.73</b>

**Kronick Moskowitz Tiedemann & Girard - Invoices Distribution**

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	234371	08/25/07	Lodi First v. City of Lodi	18.00
11233.027	234371	08/25/07	Citizens for Open Government v.	955.45
11233.029	234371	08/25/07	AT&T v. City of Lodi	646.85
			<b>Total</b>	<b>\$1,620.30</b>

**MISCELLANEOUS**

Invoice No.	Date	Description	Water Account Amount
877001	8/27/2007	Harry A. Cannon, Inc.	1,879.83
1339870-100	8/28/2007	JAMS Mediation Services	2,690.10
			<b>\$4,569.93</b>

APPROVED:

  
 Blair King, City Manager

**FISCAL IMPACT:** Expenses in the amount of \$1,620.30 will be paid out of the General Fund and \$973.45 billed to Walmart for City's defense of the Lodi First litigation and Citizens for an Open Government. The remaining expenses will be paid out of the Water Fund and the Capital Outlay Fund.

<b>FUNDING AVAILABLE:</b>	Water Fund	\$9,932.66
	General Fund	\$1,620.30

Approved: Stephen Schwabauer  
Stephen Schwabauer, City Attorney

Approved: Kirk Evans  
Kirk Evans, Budget Manager